

Application Serial N . 09/782,375
Date May 24, 2004
Reply to Office Action dated April 15, 2004

Page 8 of 11

REMARKS

In the Office Action dated April 15, 2004, the Examiner rejects claims 22 and 23 under 35 U.S.C. § 112. The Examiner rejects claims 1, 9, 10 and 21-27 under 35 U.S.C. § 102(b), and rejects claim 11 under 35 U.S.C. § 103(a). Finally, the Examiner objects to claims 4, 12, 13 and 28 but indicates they contain allowable subject matter. With this Amendment, claims 1, 12, 13, 18 and 22 are amended. Claims 4, 23, 26 and 28 have been canceled without prejudice, and claims 29-32 have been added. After entry of this Amendment, claims 1, 3, 5-7, 9-25, 27 and 29-32 are pending in the Application. Reconsideration of the Application as amended is respectfully requested.

The Examiner asks that claim 28, which is incorrectly labeled as claim 26, be re-numbered. The Applicants have done so in this Amendment.

The Examiner rejects claims 22 and 23 under 35 U.S.C. § 112, first paragraph, as containing subject matter that is not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. The first prong and the second prong of the bi-pin connector of claim 22 are clearly shown in Figure 4. However, to address the Examiner's concern, prong has been replaced by the word pin in each location in the claim. The first and second pin are thus the pins of the bi-pin connector described in the claim and shown in Figure 4. With respect to the first terminal and second terminal, these are shown in Figure 6. The Applicants have, however, removed these features from claim 22 as discussed below, rendering the Examiner's rejection on this basis moot. The Applicants have canceled claim 23 without prejudice, rendering this rejection moot. It is respectfully submitted that claim 22 is enabled by the specification and drawing figures.

The Applicants acknowledge the indication of allowable subject matter in each of claims 4, 12, 13 and 28. With this Amendment, the features of claim 4 have been incorporated into claim 1, and claim 4 has been canceled. As a result, claim 12 has been amended to depend from claim 1, instead of from claim 4. It is respectfully submitted that claims 1 and 12 are in suitable condition for allowance. Claim 13 has been placed into independent form to include the features of claim 1. As a result, claim 13 is also in suitable condition for allowance. The features

Application Serial No. 09/782,375

Date May 24, 2004

Reply to Office Action dated April 15, 2004

Page 9 of 11

of claim 28, and claim 26 from which it depended, have been incorporated into claim 22. As a result, claims 26 and 28 have been canceled. It is respectfully submitted that claim 22 is in suitable condition for allowance.

The Examiner rejects claims 1, 9-10 and 21 under 35 U.S.C. § 102(b) as being anticipated by Wu (US 5,949,347). As mentioned previously, the features of allowable claim 4 have been incorporated into claim 1. It is respectfully submitted that claim 1 and its dependent claims 9, 10 and 21 are allowable over the prior art of record.

The Examiner rejects claims 22-27 under 35 U.S.C. § 102(b) as being anticipated by Madadi et al. (US 5,688,042). As mentioned previously, the features of claim 26 and allowable claim 28 have been included in claim 22, and claims 26 and 28 have been canceled. The feature previously in claim 22 wherein one terminal of the LED device is in electrical communication with the first prong and a second terminal of the LED device is in electrical communication with the second prong has been removed from claim 22. It is respectfully submitted that the invention of claims 22-25 and 27 is patentable over the prior art of record without the inclusion of this feature.

The Examiner rejects claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Wu in view of Allen (US 6,072,280). The Examiner states that Wu teaches all of the features of claim 1 except that the plurality of light emitting diodes is a white LED. The Examiner further states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide each of the light emitting diodes of Wu as a white LED as taught by Allen in order to allow white light output of good color rendering index without employing a RGB sub die combination. The Applicants respectfully disagree. However, this rejection is rendered moot in any case as the features of allowable claim 4 have been included in claim 1, from which claim 11 depends. Thus, claim 11 is similarly allowable.

The Applicants acknowledge the allowance of claims 3, 5-7 and 14-20. Claim 18 has been amended to re-state the feature as a plurality of spaced light emitting diode banks. It is respectfully submitted that claim 18 remains allowable in the absence of the feature that the plurality of light emitting diode banks be equidistantly-spaced. With respect to the Examiner's

Application Serial No. 09/782,375**Date May 24, 2004****Reply to Office Action dated April 15, 2004****Page 10 of 11**

statement of reasons for the indication of allowable subject matter, it is respectfully submitted that claims 16 and 18 as allowed include a pair of end caps, but do not require that the end caps be bi-pin end caps.

With this Amendment, new claims 29-32 have been added. Claims 29 and 30 depend respectively from claims 1 and 5 and include the feature of claim 18 wherein each of the plurality of light emitting diodes is arranged into one of a plurality of spaced light emitting diode banks, each of the plurality of light emitting diode banks comprising at least two light emitting diodes. Claim 31 depends from claim 30 and includes the feature wherein each of the plurality of spaced light emitting diode banks is spaced equidistant from adjacent ones of the plurality of spaced light emitting diode banks. Claim 32 depends from claim 18 and includes the feature of claim 18 removed from that claim, namely that each of the plurality of spaced light emitting diode banks is spaced equidistant from adjacent ones of the plurality of spaced light emitting diode banks. Examination and allowance of claims 29-32 is respectfully requested.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance, notice of which is requested.

Application Serial No. 09/782,375

Page 11 of 11

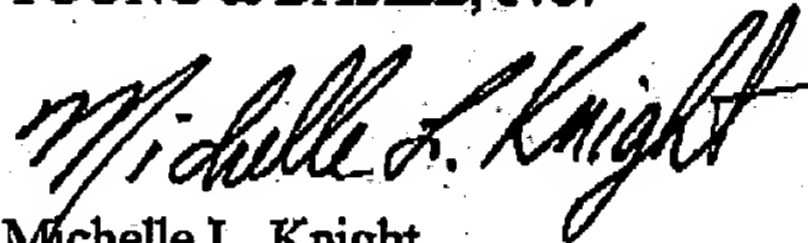
Date May 24, 2004

Reply to Office Action dated April 15, 2004

Due to the substantial delay in the prosecution in this case through no fault of the Applicants, the Applicants respectfully request immediate entry of this Amendment. Further, if the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicants' attorney at the telephone number listed below.

Respectfully submitted,

YOUNG & BASILE, P.C.



Michelle L. Knight
Attorney for Applicants
Registration No. 47711
(248) 649-3333

3001 West Big Beaver Rd., Suite 624
Troy, Michigan 48084-3107

Dated: May 24, 2004